

Hugh L. Carey Battery Park City Authority
Meeting of the Members
200 Liberty Street, 24th floor
New York, New York 10281
March 24, 2021
2:00 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE FEBRUARY 24, 2021 MINUTES
- III. PUBLIC COMMENT
- IV. INVESTMENT COMMITTEE MEETING REPORT
- V. M/WBE REPORT
- VI. RESILIENCY UPDATE
- VII. CORPORATE ACTION
 - A. Authorization to Amend the Agreement with Mildred Howard (Public Art Installation).
 - B. Approval of Disposition Guidelines for Personal and Real Property.
 - C. Authorization to Enter into an Agreement with Stellar Services, Inc. (Microsoft SharePoint Software Development, Maintenance, and Support Services).
 - D. Authorization to Issue a Negative Declaration Relating to the Ballfields and Community Center Resiliency Project.
 - E. Authorization to Modify Post-Retirement Benefits for Certain Conservancy Employees (OPEB).
 - F. Authorization to Extend the Term of the Contract with M&N Engineering, P.C. (Phase 7 Pile Remediation Design and Engineering Services).
- VIII. MOTION TO CONDUCT EXECUTIVE SESSION TO DISCUSS THE NEGOTIATIONS RELATED TO THE LEASE OF REAL PROPERTY, THE PUBLICITY OF WHICH COULD SUBSTANTIALLY AFFECT THE VALUE OF THE RELEVANT PROPERTIES.
- IX. MOTION TO ADJOURN

AUTHORIZATION TO AMEND AN AGREEMENT WITH MILDRED HOWARD TO PROVIDE A PUBLIC ART INSTALATION

BE IT RESOLVED that in accordance with the materials presented to this meeting, the President and Chief Executive Officer of the Hugh L. Carey Battery Park City Authority (the "President") or her/his designee(s) be, and each of them hereby is, authorized and empowered to Agreement #20-2867 with Mildred Howard to extend the term of the Agreement to May 31, 2022 and increase its not-to-exceed contract total by \$11,191.00 to \$161,191.00, and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the contract on behalf of the Hugh L. Carey Battery Park City Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the contract; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

APPROVAL OF GUIDELINES FOR THE DISPOSITION OF PERSONAL AND REAL PROPERTY

BE IT RESOLVED, that the Guidelines for the Disposition of Personal and Real Property Owned by the Authority (the “Guidelines”) as presented to this meeting, be, and hereby are approved; and be it further

RESOLVED, that the Contracting Officer shall file the Guidelines on or before the thirty-first of March 2021 with the New York State Comptroller; and be it further

RESOLVED, that the Guidelines be posted on the Authority’s internet website; and be it further

RESOLVED; that the Assistant Corporate Secretary of the Authority be, and hereby is, directed to file the Guidelines with the minutes of this meeting.

**AUTHORIZATION TO AMEND AN AGREEMENT WITH STELLAR SERVICES, INC.
TO PROVIDE MICROSOFT SHAREPOINT SOFTWARE DEVELOPMENT,
MAINTENANCE, AND SUPPORT SERVICES**

BE IT RESOLVED that in accordance with the materials presented to this meeting, the President and Chief Executive Officer of the Hugh L. Carey Battery Park City Authority (the "President") or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement with Stellar Services, Inc. to provide Microsoft SharePoint Software Development, Maintenance, and Support Services for a term of three (3) years and for a not-to-exceed contract amount of \$522,000.00, and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the contract on behalf of the Hugh L. Carey Battery Park City Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the contract; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

**AUTHORIZATION TO ISSUE A NEGATIVE DECLARATION RELATING TO THE
INSTALLATION OF AN INTERIM FLOOD BARRIER SYSTEM TO PROVIDE RISK
REDUCTION FOR THE BATTERY PARK CITY BALLFIELDS AND COMMUNITY
CENTER**

WHEREAS, the Battery Park City Ballfields and Community Center sustained over \$8 million in damages as a result of damage from Superstorm Sandy in 2012; and

WHEREAS, in anticipation of severe storms in future years, Battery Park City Authority (the “Authority”) has proposed undertaking resiliency projects to protect the neighborhood from the threats of storm surge, intense precipitation events, and sea level rise; and

WHEREAS, as part of this suite of projects, the Authority has proposed the Ballfields and Community Center Resiliency Project (the “Project”), which would entail the installation of an interim flood barrier system to protect the Battery Park City Ballfields and Community Center from flooding and storm surge; and

WHEREAS, the Project will be undertaken by the Authority and requires certain approvals by state and local agencies, and is therefore subject to the New York State Environmental Quality Review Act (“SEQRA”) and the City Environmental Quality Review (“CEQR”); and

WHEREAS, the Authority declared its intent to the New York State Department of Transportation (“NYSDOT”), the New York City Department of Transportation (“NYCDOT”), and the New York City Department of Small Business Services (“DSBS”) (the other involved agencies) to serve as lead agency for purposes of conducting the environmental review of the Project required under SEQRA and CEQR; and

WHEREAS, having received no objection from NYSDOT, NYCDOT, or DSBS, the Authority prepared a Full Environmental Assessment Form and Supplemental Report, dated April 2020 (the “Assessment”) to examine the potential environmental impacts of the Project; and

WHEREAS, the Assessment examines the Project’s potential to result in significant adverse impacts in the following areas: land use, zoning and public policy; community facilities; open space; historic resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; transportation; air quality; greenhouse gas emissions; noise; public health; neighborhood character; and construction impacts; and

WHEREAS, as stated in the Assessment, no significant adverse impacts would occur as a result of the Project;

NOW, THEREFORE, BE IT RESOLVED, that the Notice of Determination of No Significance for the Ballfields and Community Center Resiliency Project is hereby approved.

AUTHORIZATION TO MODIFY POST-RETIREMENT BENEFITS FOR CERTAIN CONSERVANCY EMPLOYEES

BE IT RESOLVED, that in accordance with the materials submitted at this Board meeting, the President and Chief Executive Officer (the “President”) of the Battery Park City Authority (the “Authority”) or his/her designee(s) be, and each of them hereby is, authorized and empowered to pay 100% of the cost of health insurance premiums prospectively for retirees who commenced employment at the Conservancy prior to November 1, 2001, and whose retirement date is on or after February 1, 2010; and be it further,

RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver this change on behalf of the Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority, such approval to be conclusive evidence and be it further,

RESOLVED, that the President or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other and further actions heretofore taken are hereby ratified, and any actions hereafter taken are confirmed and approved.

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**AUTHORIZATION TO EXECUTE AN AMENDMENT TO BATTERY PARK CITY
AUTHORITY'S CONTRAT WITH M&N ENGINEERING, PC FOR THE PHASE 7 PILE
REMEDATION DESIGN AND ENGINEERING SERVICES PROJECT**

BE IT RESOLVED, that in accordance with the materials submitted at this Board meeting, the President and Chief Executive Officer (the "President") of the Battery Park City Authority (the "Authority") or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute an amendment to extend the term of the Contract with M&N Engineering, PC for the Phase 7 Pile Remediation Design and Engineering Services Project through December 31, 2021; and, be it further

RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver the Amendment on behalf of the Authority, subject to such changes as the officer or officers executing the Amendment shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority, such approval to be conclusive evidence by the execution and delivery of the Amendment; and be it further,

RESOLVED, that the President or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other and further actions heretofore taken are hereby ratified, and any actions hereafter taken are confirmed and approved.